

**MINUTES OF
CITY OF DUVALL
COUNCIL MEETING
November 24, 2009
7:00 P.M. - Duvall Fire Station**

Council Workshop was cancelled.

The City Council Meeting was called to order by Mayor Will Ibershof at 7:00 P.M.

Council Present: Gérard Cattin, Vicki Edwards, Elizabeth Walker, Dianne Brudnicki, Gary Gill, Anne Laughlin, Glen Kuntz

Staff Present: Steve Leniszewski, Glenn Merryman, Harry Oestreich, Lara Thomas, Jodi Lee Wycoff.

I. Additions or Corrections to the Agenda:

Under Consent Agenda add: Approval of Payroll in the amount of \$155,622.88, Claims in the amount of \$304,792.65; Remove: Item# 4: (AB09-82) Ordinance Amending Chapter 3.12 of the DMC relating to limits for the use of Small Works Roster;

II. Adoption of Council Agenda:

It was moved and seconded (Walker-Edwards) to adopt the 11/24/09 City Council Agenda. The Motion carried. (6 ayes).

III. Comments from the Audience:

Tove Burhen, Box 6, Duvall, reminded everyone that during the Tree Lighting Event on Friday, December 4th, the Historical Society will be in the Depot Building. They will be selling their annual ornament so if you have a collection or want to start one, this is a great time to get this year's addition.

Councilmember Anne Laughlin took her seat during the comments from the audience.

IV. Approval of Consent Agenda:

It was moved and seconded (Edwards-Walker) to approve the consent agenda which included approval of Payroll Checks numbered #9327-9333 in the amount of \$155,622.88; Claims Checks numbered #9334-9402 in the amount of \$304,792.65; approval of the Council Meeting Minutes of 11-12-09; and approval of the following contracts, resolutions, and ordinances: (AB09-83) Ordinance #1091 adding new Sub-Section 2.05.030, Audit of Claims, to Section 2.05, Finance Director, of the Duvall Municipal Code; (AB09-80) Confirmation of Mayor Ibershof's reappointment of Tracy Paddock to the Duvall Cultural Commission Position #7, a term ending 12/31/2012; and

(AB09-81) Confirmation of Mayor Ibershof's reappointment of Michael Nehl to the Duvall Cultural Commission Position #8, a term ending 12/31/2012. The Motion carried. (7 ayes).

V. Presentation: Pete Butkus, Deputy City Manager – City of Sammamish

Pete Butkus, Deputy City Manager of the City of Sammamish, handed out and reviewed a report explaining how the City of Sammamish charges for impact fees. He said that Sammamish and Duvall are in similar situations with the lack of development in both communities. The City of Sammamish has significant impact fees and the development community requested that they delay when some of those fees are paid. The policy that Sammamish came up with had two main changes to it. The first is that it gives builders an option to pay the final 40% of their impact fee at the time of the building permit, or delay it until the sale of the home, with a notice being placed on the title. The other change is an option for a permit extension. Prior to the policy change, expired permits were required to resubmit and pay the full building permit fee. They could extend the permit if not yet expired but would have to pay half the permit fee. Now the developer is only required to pay a service fee of \$112.50 to extend the permit six months. They have had more than 55 extensions/ renewals since March which equates to almost \$100,000 in lost revenue. Both of these policy changes have a sunset date of December 31, 2010.

Pete did say that Sammamish's issued new single-family residential permits are up slightly from last year, and that the additions and remodel permits are down. The high impact fees did not stop development and it appears that their policy changes are a bit of an incentive to developers.

He suggested that if Duvall is looking to make similar policy changes that the City talk to its City Attorney before moving forward. He also suggested looking into putting a full lean on the property for the impact fees, instead of just a notice on the title. Pete said that there are definitely things that Council would need to think through before moving forward with any policy changes. Some of the things to consider are what if the developer decides to rent instead of sell the property, and what if the developer goes bankrupt before finishing the project.

Pete said one idea is to talk to the other Valley cities and come up with a policy that encompasses all of the cities. He also suggested that the City Council talk to developers if and when they develop any new policies. Pete then answered questions from Council about specific fees, retail opportunities in Sammamish, and their Park Plan.

VI. Scheduled Items:

1. Mayor:

Mayor Ibershof said that he attended a recent Suburban Cities Association (SCS) meeting where they commended the cities of the region for working so well together, especially the Snoqualmie Valley cities. They also publicly thanked Interim County Executive Kurt

Triplett for his work during his tenure. The Mayor reported that there are many open positions in the SCA currently and he encouraged Council to get involved. The more Councilmembers from our small city that are on the SCA Boards, the larger Duvall's voice will be. Mayor Ibershof reminded everyone that the Annual Tree Lighting Event is Friday, December 4th. The plan is to ask a family from a recently returned Iraq or Afghanistan veteran to light the tree this year. Mayor Ibershof also reminded Council that the next SVGA meeting will be held on December 2nd, at the Snoqualmie Casino. That same day, in the morning, he will be in Olympia for a statewide Mayors conference with the Governor where they will discuss the State's major deficit.

2. Committee Reports:

a. Land-Use Committee: Councilmember Dianne Brudnicki reviewed their Committee Meeting report. They discussed the Transportation Element update which includes new State requirements for healthy communities. They also discussed the Sidewalk Policy which Planning will bring to the Economic Development Committee to also review. The CamWest tour was cancelled due to schedule conflicts and the Land Use Committee annual tour was postponed in to January/February 2010.

b. Public Works Committee: Councilmember Gary Gill reported that the Committee met last week and discussed grant opportunities. The City did not receive a grant for the sidewalk project near Cherry Valley Elementary, but they will try for a Safe Schools grant in the spring for that project. The City was awarded a grant for the 275th Avenue sidewalk project. The contract is currently in draft form and staff is hoping to bring it to the next Council meeting. Councilmember Gill also gave a snow equipment update. One of the dump trucks is being retrofitted with a new plow and de-icer applicator. The Committee was also given a report from Shaun Tozer, City Project Manager, regarding the Main Street Project. They are working to close-out the project and are in discussions regarding final change orders and pricing. Lastly, the Committee discussed the Waste Management contract. They agreed that out of the options that Harry Oestreich, Finance Director, showed them, they liked option B with a phased in 2-year fee increase. The Committee also discussed increasing the franchise fee and agreed that they would support putting any increase in fees towards fixing streets from the wear and tear of the trucks.

c. Public Safety Committee: Councilmember Vicki Edwards reported the Committee met this week and was given a report from Fire District 45 Chief John Lambert about the research for the Fire District service options. The next RFA meeting will be in December, so the next update on this issue will most likely be given to the Committee in January. The Committee also received an update from Chief Lambert regarding local H1N1 flu cases. According to reports from Cherry Valley Elementary, it looks like new H1N1 flu cases are dropping, which is a good sign. Chief Lambert also reported to the Committee that the Fire District is looking for a new boat. Their current boat is 27 years old and the motor on it is 22 years old. They do have a newer back up motor, and are not concerned regarding this year's flooding season, but they do need a new boat and are actively looking for one. Councilmember Edwards also reported that at the last Council Meeting it was reported that the Carnation Police Levy was failing. The Committee was recently informed that Carnation did pass a budget which included fully funding their portion of

the Carnation-Duvall Police Services for 2010. Lastly, she reported that the City's K-9 officer and K-9 will be back from training in approximately two weeks after they pass final certification tests.

d. Economic Development Committee: Councilmember Anne Laughlin had no report.

e. Finance & Administration Committee: Councilmember Gérard Cattin reported that the Committee met and discussed various policies which will be coming before Council for adoption. The Committee also discussed the Waste Management contract and agreed that the option for a 3-year phase-in fee increase is better. They agreed with the Public Works Committee that the contract should follow the Seattle index for fee increases. The Committee also wants to be sure that it is allowed to spend some of the franchise fee the City receives towards the street fund. They also questioned what the difference is between a garbage truck and a school bus as far as wear and tear on the roads. The Committee also agreed with the Public Works Committee to stay with weekly recycling in the new contract instead of changing it to every other week.

VII. Public Hearing:

Public Hearing: Final Public Hearing on the City of Duvall 2010 Budget

7:51 PM: The Public Hearing was opened.

Harry Oestreich, Finance Director explained that this is the second of two Public Hearings on the City of Duvall 2010 Budget, as required by State law. This budget does not include any tax increases, pay cuts, staff cuts or reduction in services.

There were no public comments.

7:55 PM: The Public Hearing was closed.

Public Hearing: Riverview School District - Impact Fees

7:55 PM: The Public Hearing was opened.

Lara Thomas, Planning Manager, explained that the City has an Interlocal Agreement with the School District to collect their Impact Fees. This is a Public Hearing regarding the School District's Impact Fees as required by the State. Next year the School District will hold its own Public Hearings on School District Impact Fees.

There were no public comments.

7:57 PM: The Public Hearing was closed.

VIII. New Business:

1. (AB09-77) Adopt Ordinance #1092 Implementing a School Impact Fee for the Riverview School District. *It was moved and seconded (Walker-Edwards) to adopt Ordinance #1092 Implementing a School Impact Fee for the Riverview School District. The Motion Carried. (7 ayes).*

2. (AB09-78) Adopt Ordinance #1093 fixing the amount of the Annual Ad Valorem Property Tax Levy for the Fiscal Year 2010. *It was moved and seconded (Walker-Edwards) to adopt Ordinance #1093 fixing the amount of the Annual Ad Valorem Property Tax Levy for the Fiscal Year 2010. The Motion Carried. (7 ayes).*

3. (AB09-79) Adopt Ordinance #1094 adopting the City of Duvall Budget for Fiscal Year 2010. *It was moved and seconded (Cattin-Walker) to adopt Ordinance #1094 adopting the City of Duvall Budget for Fiscal Year 2010. The Motion Carried. (7 ayes).*

IX. Executive Session:

10 Minutes – Potential Property Acquisition

RCW 42.30.110(1)(b)

8:06 p.m. The Council Chambers were cleared for a 10-minute Executive Session on Potential Property Acquisition pursuant to RCW 42.30.110(1)(b).

8:16 p.m. The Executive Session was extended for 4 minutes.

8:20 p.m. The Council meeting was called back to order.

X. Adjournment:

It was moved and seconded (Kuntz-Cattin) to adjourn. The Motion Carried. (7 ayes). The meeting adjourned at 8:21 p.m.

Signed _____
Mayor Will Ibershof

Attest _____
Jodi Lee Wycoff, Deputy City Clerk